

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

DR. MARY HAMEL-SCHWULST

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:08cv195WJG-JMR

COUNTRYPLACE MORTGAGE, LTD.
d/b/a COUNTRYPLACE LIMITED TEXAS
PARTNERSHIP; CASPER KOBLE;
JOHN WILLIAMS, JR.; PALM HARBOR
HOMES, INC.; U.S. TITLE & REAL ESTATE
CLOSING SERVICES, INC.; JEFFERY NEGROTTO
and PEIRSON/PATTERSON, LLP

DEFENDANTS

FINAL JUDGMENT

THIS CAUSE is before the Court on the motions of the Plaintiff, Dr. Mary Hamel-Schwulst, to reopen this case to vacate the arbitration award [51], for clarification of an order entered September 16, 2008 [56], for an extension of time to complete arbitration [58], to quash or set aside a notice of default [59], to strike the affidavit of Casper Koble [62], for leave to file a third party complaint [70], for permission to file the arbitration record [72], to reinstate this case to the active docket [77], for relief pursuant to Federal Rules of Civil Procedure 60(b) [82], and to vacate the arbitration award [85] on constitutional grounds. Also pending before the Court are the motions of Defendants, Country Place Mortgage, Ltd. [CountryPlace]; Casper Koble; John Williams, Jr., and Palm Harbor Homes, Inc. [collectively, the Defendants] to disburse funds paid into the registry of the court [66], and to confirm the arbitrator's award [92]. Pursuant to the Memorandum Opinion entered in this cause, this date, and incorporated herein, it is hereby,

ORDERED AND ADJUDGED that Plaintiff's motion [51] to reopen this cause be, and is hereby, granted. It is further,

ORDERED AND ADJUDGED that Plaintiff's motion [56] for clarification be, and is hereby, denied. It is further,

ORDERED AND ADJUDGED that Plaintiff's motion [58] for extension of time to complete arbitration be, and is hereby, denied. It is further,

ORDERED AND ADJUDGED that Plaintiff's motion [59] to set aside notice of default be, and is hereby, denied. It is further,

ORDERED AND ADJUDGED that the motion [62] to strike Koble's affidavit be, and is hereby, denied. It is further,

ORDERED AND ADJUDGED that the motion [70] for leave to file a third party complaint be, and is hereby, denied. It is further,

ORDERED AND ADJUDGED that the motion [72] for permission to file the arbitration record be, and is hereby, denied as moot. It is further,

ORDERED AND ADJUDGED that the motion [77] to reinstate this case to the active docket be and is hereby, denied as moot; and for leave to file a request for production be, and is hereby, denied. It is further,

ORDERED AND ADJUDGED that the motion [82] for relief under Rule 60(b) be, and is hereby, denied. It is further,

ORDERED AND ADJUDGED that the motion [85] to vacate the arbitration award on constitutional grounds be, and is hereby, denied. It is further,

ORDERED AND ADJUDGED that the motions to disburse funds [66] and to confirm the arbitrator's award [92] be, and are hereby, granted. It is further,

ORDERED AND ADJUDGED that within ten (10) day of the entry of this Final Judgment, Defendants' shall provide the Clerk of Court with an address for the receipt of disbursement funds. It is further,

ORDERED AND ADJUDGED that the Complaint and any amendments, counter-claims, and third party claims, if any, be finally dismissed on the docket of this Court.

ORDERED AND ADJUDGED that each party bear their respective costs.

SO ORDERED AND ADJUDGED, this the 12th day of February, 2010.

Walter J. Gax III

UNITED STATES SENIOR DISTRICT JUDGE